IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 32385 of 2004(E)

PETITIONER:

BOBBY THOMAS, S/O. K.V. THOMAS,
AGED 30 YEARS, PROPRIETOR, M/S. ALFA LATEX,
MATTAKARA, RESIDING AT ARANGATHU MATTATHIL,
AYARKUNNAM VILLAGE, ARUMANNOOR KARA,
ARUMANOOR P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.ABRAHAM MATHEW (VETTOOR)
SMT.MERLIN MATHEW

RESPONDENTS:
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1. KERALA STATE POLLUTION CONTROL BOARD
PATTOM, TRIVANDRUM REPRESENTED BY ITS
MEMBER SECRETARY.

2. THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTINO CONTROL BOARD,
REGIONAL OFFICE, ST. ANTONY'S COMPLEX,
KOTTAYAM-1.

3. THE WATER APPELLATE AUTHORITY,
TRIVANDRUM REPRESENTED B ITS SECRETARY.

4. THE AKALAKKUNNAM GRAMA PANCHAYAT,
MANALUNKAL P.O., AKALAKUNNAM,
REPRESENTED BY ITS SECRETARY.

5. SRI. JOY. T. JOHN, POLLAKATTU HOUSE,
MATTAKARA, KOTTAYAM.

6. M.A. SEBASTIAN, HANNANAL HOUSE,
MATTAKARA, AKALAKUNNAM VILLAGE,
KOTTAYAM DISTRICT.

7. FR. JOSEPH, EDATHUMPARAMBIL,
HOLY FAMILY CHURCH, PARISH QUARTERS,
MATTAKARA, AKALAKUNNAM, KOTTAYAM.

8. K.C. OUSEPH, S/O. CHACKO,
KATTARKUZHIYIL HOUSE, MATTAKARA,
AKALAKUNNAM, KOTTAYAM.

BY ADV. SRI.G.GOPAKUMAR,SC, KSPCB
SRI.K.JAJU BABU
SRI.S.SANTOSH KUMAR (PERUNAD)
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
SRI. M.K.CHANDRAMOHAN DAS, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 32385/2004 E

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SALE DEED NO. 1125/2002 EXECUTED BY THE CHURCH AUTHORITIES IN FAVOUR OF THE PETITIONER DT. 26/11/2002.

EXT.P2. COPY OF THE IST PROJECT REPORT OF THE TREATMENT PLANT PREPARED BY M/S. ENVIROCHEM LABORATORIES (P) LTD.

EXT.P3. COPY OF THE SITE PLAN PREPARED BY THE VILLAGE OFFICER AKALAKUNNAM.

EXT.P4. COPY OF THE SITE PLAN OF THE PROPOSED FACTORY BUILDING OF THE PETITIONER.

EXT.P5. COPY OF THE REPRESENTATION TO THE R1 DATED

EXT.P6. COPY OF THE JUDGMENT IN OP NO. 1402/2003 BY THIS COURT DT. 20/1/2003.

EXT.P7. COPY OF THE MINUTES OF THE MEETING HELD ON 19/2/2003.

EXT.P8. COPY OF THE MASS REPRESENTATION DT. 22/3/2004.

EXT.P9. COPY OF THE 2ND PROJECT REPORT REGARDING TREATMENT PLANT SUBMITTED BY THE PETITIONER.

EXT.P10. COPY OF THE ORDER PASSED BY THE R1 DT. 8/4/2003.

EXT.P11. COPY OF THE APPEAL PREFERRED BY THE PETITIONER DT. 26/5/2003.

EXT.P12. COPY OF THE COUNTER AFFIDAVIT FILED BY THE R1 DT. 27/3/2004.

EXT.P13. COPY OF THE OBJECTION FILED BY THE R3 TO THE MEMORANDUM OF APPEAL 17/3/2004.

EXT.P14. COPY OF THE ORDER BY THE WATER APPELLATE AUTHORITY DT. 9/09/2004.

True copy

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KURIAN JOSEPH, J.

W.P. (C) NO. 32385 OF 2004

Dated this the 6th day of June, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievance with regard to the alleged pollution caused by the 7th respondent. In view of the intervening developments in case the petitioner has still any grievances, he may approach the 2nd respondent, in which case, appropriate action in accordance with law with notice to the petitioner and respondents 4 to 6 will be taken within a period of three months from the date of receipt of complaint to abate the pollution.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp